



## Board of Adjustment Case Report

City of Raleigh  
Department of City Planning  
One Exchange Plaza  
Raleigh, NC 27601  
(919) 996-2626  
www.raleighnc.gov

**Case File:** A-12-16

**Property Address:** 2901 Schubba Court

**Property Owner:** Elva Gomez Rojas and Aniceto Villarroel Romero

**Project Contact:** Guido Romero

**Nature of Case:** A request for a variance from all of the wooded area requirements set forth in Section 9.1.9.A. of the Unified Development Ordinance to allow for the construction of a detached house on a .29 acre property zoned Residential-6 Conditional Use District and Urban Watershed Protection Overlay District.



**2901 Schubba Court – Location Map**

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**To BOA:** 1-11-16

**Staff Coordinator:** Eric S. Hodge, AICP

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**ZONING**

**DISTRICTS:** Residential-6 and Urban Watershed Protection Overlay District



## 2901 Schubba Court – Zoning Map

**VARIANCE STANDARDS:** In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

**To Legalize the Existing Structure:**

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions

that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

### **Sec. 9.1.9 Watershed Protection Overlay Districts**

A. Except as otherwise provided below, every lot located within a -UWPOD, -FWPOD or -SWPOD must provide and maintain an area set aside for trees equal to at least 40% of the lot area. Within this area, trees must either be preserved or planted in accordance with the following:

1. Tree areas may be 1 contiguous area or scattered areas throughout the lot, but no required tree area may be less than 1/5 of the total gross land area required to be set aside for trees;
2. All areas required to be set aside for trees shall be maintained as wooded areas;
3. Wooded areas may consist of either areas where active tree preservation is observed or tree planting areas;
4. Each active tree preservation area must contain a minimum of 2 inches of tree caliper per every 100 square feet and within such areas, active tree preservation shall be followed;
5. Areas that are set aside for trees that do not meet the standards for active tree protection areas must be planted with shade trees; and
6. The minimum size and planting rate of new tree plantings used to fulfill this requirement shall be either 1 bare-root seedling at least 14 inches tall planted per 100 square feet (10 feet by 10 feet centers) or one 2-inch caliper tree planted per 200 square feet.

B. After wooded areas have been determined and prior to or concurrent to any subdividing of the property or issuance of building permit, the landowner shall record with the local County Register of Deeds a plat with metes and bounds descriptions of all wooded areas.

C. For lots located within areas designated "New Urban" by the Swift Creek Land Management Plan, the regulations of Sec. 9.1.9.A. above apply with the exception that only 25% of each lot must contain an area set aside for trees.

D. For lots located within a conservation development, areas set aside for trees may in lieu of being situated on the individual dwelling lots may instead be

located within the required open space, provided that the overall acreage set aside for trees is not diminished.

E. The requirements of this section do not apply to lots devoted exclusively to stormwater control measures or to those lots located in those areas of the Comprehensive Plan designated for impervious surfaces in excess of 30%.



# Planning & Development

Development Services  
Customer Service Center  
One Exchange Plaza  
1 Exchange Plaza, Suite 400  
Raleigh, North Carolina 27601  
Phone 919-996-2495  
Fax 919-516-2685

A-16-16  
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## Variance Application

	OFFICE USE ONLY
Nature of variance request (Submit addendum on separate sheet, if more space is needed.)  Request variance from all forestation requirements set forth in Section 9.1.9 of Raleigh UDO to allow for construction of a detached house on a .29 acre property described below.	Transaction Number
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.	

GENERAL INFORMATION		
Property Address	2901 Schubba Ct Raleigh NC 27614	
Property PIN	1830104139	Current Zoning
Nearest Intersection	Schubba Ct @ Angel Falls Rd	Property size (in acres)
Property Owner	Elva Gomez Rojas Aniceto Villarroel Romero	Phone
Project Contact Person	Guido Romero	Email
Property Owner Signature	Elva Gomez Rojas 12/10/15	Notary Signature and Seal
Notary	State of NC ; County of Wake Sworn and subscribed before me this 10 day of December, 2015 by Elva Gomez Rojas	DORA L SCHMITT Notary Public Wake Co., North Carolina My Commission Expires May 16, 2020

It is improper to contact any member of the Board of Adjustment prior to the disposition of a case to discuss the request. A variance application will not be considered complete until all required submittal components listed on the Variance Checklist have been received and approved.





Home

## Wake County Real Estate Data Account Summary

iMaps  
Tax Bills

Real Estate ID **0292959** PIN # **1830104139**

Account  
Search

Location Address  
**2901 SCHUBBA CT**

Property Description  
**LO3784 GLEN STONE AT WKFLD BM2001-01718**

[Pin/Parcel History](#) [Search Results](#) [New Search](#)

NORTH CAROLINA Account Buildings Land Deeds Notes Sales Photos Tax Bill Map

Property Owner <b>ROJAS, ELVA GOMEZ</b> <b>ROMERO, ANICETO VILLARROEL</b> (Use the Deeds link to view any additional owners)		Owner's Mailing Address <b>6630 ROCKGLEN WAY APT 723</b> <b>RALEIGH NC 27615-7560</b>		Property Location Address <b>2901 SCHUBBA CT</b> <b>RALEIGH NC 27614-7576</b>	
<b>Administrative Data</b> Old Map # <b>215-00000-0000</b> Map/Scale <b>1830 03</b> VCS <b>19RA022</b> City <b>RALEIGH</b> Fire District Township <b>WAKE FOREST</b> Land Class <b>VACANT</b> ETJ <b>RA</b> Spec Dist(s) Zoning <b>CUD R-6</b> History ID 1 History ID 2 Acreage <b>.29</b> Permit Date Permit #		<b>Transfer Information</b> Deed Date <b>4/13/2015</b> Book & Page <b>15978 1338</b> Revenue Stamps <b>154.00</b> Pkg Sale Date Pkg Sale Price Land Sale Date <b>4/13/2015</b> Land Sale Price <b>\$77,000</b>  <b>Improvement Summary</b> Total Units <b>0</b> Recycle Units <b>0</b> Apt/SC Sqft Heated Area		<b>Assessed Value</b>  Land Value Assessed <b>\$56,100</b> Bldg. Value Assessed  Tax Relief  Land Use Value Use Value Deferment Historic Deferment Total Deferred Value  Use/Hist/Tax Relief Assessed Total Value <b>\$56,100</b> Assessed*	

\*Wake County assessed building and land values reflect the market value as of January 1, 2016, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2016 values will remain in effect until the next county-wide revaluation. Until that time, any real estate accounts created or new construction built is assessed according to the 2016 Schedule of Values.

**For questions regarding the information displayed on this site, please contact the Revenue Department at [RevHelp@wakegov.com](mailto:RevHelp@wakegov.com) or call 919-856-5400.**

# ANICETO ROMERO

LOT 3784, GLEN STONE AT WAKEFIELD PLANTATION

2901 SCHUBBA COURT

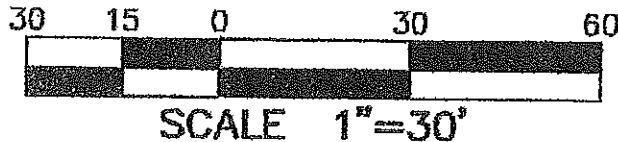
REF: B.M. 2001, PAGES 1717-1720

CITY OF RALEIGH

WAKE COUNTY, NORTH CAROLINA

JUNE 26, 2015

ZONED CUD R-6



PLAN INFORMATION BLOCK		
FOOTPRINT	TOTAL SQ.FT.	STREETS
DRIVE	EASEMENT	PERMITS
SLAB	SEAM HEIGHT	SPC. SURFACE AREA

NOTE: ALL CONSTRUCTION SHALL BE DONE IN ACCORDANCE WITH ALL CITY OF RALEIGH AND NCDOT STANDARDS AND SPECIFICATIONS

